

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, AUGUST 16, 2016

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:01 A.M., with the Following members present:

Jason Anderson, Commissioner, Board Chair
Ken Anderson, Commissioner
Tim Lovato, Commissioner
Wendi Maez, County Co-Administrator/Land Use Administrator
Lyn Lambert, County Co-Administrator
Ben Gibbons, County Attorney
Carla Gomez, C/O Rhiannon Curry Clerk to the Board

PLEDGE OF ALLEGIANCE:

Board Chair, Jason Anderson, invited those in attendance to join in reciting the Pledge of Allegiance.

Additions/Deletions to the Agenda:

1. Remove Liquor Special Event Request at 3:30PM
2. Add – Northern Saguache County Ambulance with Sheriff's report
3. Commissioner Lovato requests executive session during Ben Gibbons time

MOTION BY COMMISSIONER LOVATO TO "APPROVE" THE AGENDA AS AMENDED.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

MOTION BY COMMISSIONER KEN ANDERSON TO "APPROVE" THE MINUTES OF THE AUGUST 2, 2016, REGULAR SESSION MEETING AS CORRECTED AND AMENDED, AT 1:07P.M.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: Mail 08/16/2016

1. SLV 4-H sent the Monthly Newsletter
2. JoAnn Groff, Property Tax Administrator, Colorado Department of Local Affairs, sent the 2016 final valuations for state assessed companies (8/4/2016)
3. Linda Joseph, YES, sent a request for the board approval to proceed with installing the ADA/OSHA approved access and safety ramp that was granted to YES for the building that has now been purchased by HackSLV. The program will still operate from this site for 1-2 more years. (8/5/2016)
4. 4-H Robotic Team sent a thank you card for the support for their trip to Japan. (8/8/2016)
5. Eleanor Muller sent a letter stating that she is opposed to the County giving Title III monies to Kundalini Fire Management Coalition and Daniel Johnson, as she believes that public money is being requested for religious property concerns and that there should be a separation of church and state. (8/8/2016)
6. Rio Grande Water Conservation District sent the August 2016 ground water tables. (8/12/2016)
7. Frank Muniz, Alamosa County VSO sent a letter of accounting of the Veteran Transportation Network accomplishments. (8/12/2016)
8. Gigi Dennis, Alamosa County Administrator sent a copy of a newspaper article on Saguache County in the "Pueblo Chieftain". (8/12/2016)
9. Letter received from Lisa Cyriacks expressing her concerns on Title III funding requests.

Introduction of Guests:

Timmy Coraggio – Concerned Citizen
Lee Hodge – Pueblo County DSS
David Hammel – NSCAD
Michael Miller – Cannaworks
Coral Bright

Korey Elger - CDHS
Lucinda L. Wayland Connelly – CDHS
Steve Collier – Cannaworks
Teresa Bennis – Center Post Dispatch
Nancy Butler – Rio Grande Headwaters Land Trust

Public Comments: None

COMMISSIONER REPORTS:

Commissioner Jason Anderson:

8/3 – attended Commissioner's workshop

8/4 – met with Eric Bergmann – CCI – looking into how counties collect excise tax on Marijuana. Question was asked if it is a good thing or a bad thing that the State has given the county the right to collect their own taxes. David Busch – the attorney for HEMP citizens is having a conference in September. Commissioner Anderson will be speaking at this meeting.

8/15 – Did Makeup Commissioner's hours after returning from vacation. There was a good stream of people who came to visit.

Commissioner Lovato:

8/3– Department Head's Evaluation

8/4 – Attended Rio Grande Basin Wood Utilization Workshop in Alamosa. With the amount of beetle kill in our national forest, there were several presenters from western region of the United States as well from Colorado on how and what they were doing to utilize the trees that's going to be coming from our forest and to be a benefit to our community in job creation and products from our area.

8/5 – Went with several staff members from the Public Health Department to Valley View to interview the staff on who came in contact with the bat that tested positive for Rabies. As of August 14th there have been four bats found in the Valley View area, of which one has been tested positive so far. No one has had to be treated for rabies fliers have been put out in throughout Saguache County.

8/8 – Conducted office hours in Center, had contact with four citizens.

8/9 – Attended the Audit report for Saguache County with the auditor and Co-Administrator and Commissioner Ken Anderson.

8/10 – Co-Administrator Lyn Zimmer Lambert and I met with the staff at Public Health on keeping Public Health running efficiently and effectively until a Director can be hired. We addressed several concerns the staff had and Lyn helped them find several of the files that the staff had concerns with on meeting deadlines.

8/11 – Attended the work session with Commissioner Ken Anderson and Co-Administrator Wendi Maez, also present were representatives from U.A.S. We discussed what was needed or what the priorities should be at Leach airport at this time

Commissioner Ken Anderson:

8/3 – attended the Department Heads Evaluation meeting

8/8 – held commissioner's hours

8/9 – reviewed audit report with Tim Lovato and Lynn Lambert

8/11 – Met with Constantine Diehl and John Hughley with Rocky Mountain UAS

8/12 – drove around and checked on roads/conditions

8/13 – attended the Crestone Music Festival. Spoke with citizens and visited the Democratic booth.

8/15 – attended the DRG Meeting – executive meeting to go over applications for the new director.

**MOTION BY COMMISSIONER KEN ANDERSON TO ENTER INTO EXECUTIVE
SESSION FOR PERSONEL ISSUES, PER C.R.S. 24-6-402(4)(f)(I) AT 9:38 A.M.
SECOND BY COMMISSIONER LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER KEN ANDERSON TO ADJORN EXECUTIVE
SESSION AND RETURN TO REGULAR SESSION AT 9:53 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER KEN ANDERSON TO MOVE INTO SOCIAL SERVICES
REPORT AT 10:02 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

LINDA WARSH, DEPARTMENT OF SOCIAL SERVICES DIRECTOR: REPORT ATTACHED

Linda Warsh was accompanied by Guests Lee Hodge, Korey Elger, and Dr. Lucinda L. Wayland Connelly from Pueblo County DSS, and CDHS. Overall guests were happy with what was going on in Saguache County. Commissioner Jason Anderson requested their opinion of the county's situation. All reflected opinions that the SS staff cares very deeply for the positions held and the people they assist. All guests agreed we have a good staff committed to doing the right things in the right ways. Commissioner Jason Anderson appreciates all that State and Pueblo County are doing to help Saguache County. Commissioner Jason Anderson asks for assistance in clarifying funding streams. Comments there seems to be a blanket put on legislation that works well for bigger cities and counties, but not smaller ones. There should be a difference between urban and rural communities. Would like to see training either regional or Southern District. Guest says she will take that recommendation to the state level.

DEPARTMENT HEAD REPORTS

BEN GIBBONS, COUNTY ATTORNEY:

Town of Iris – deed sent for recording, should be in Clerk in Records office. There were no objections and the order was entered two weeks ago. Mr. Gibbons, asked Clerk and Recorder Carla Gomez to please follow up on the deed recording, and requests that original be sent to his office; once completed.

Mr. Gibbons advised Commissioners that the Board of Appeals hearing will be August 31st in Denver, and he will be in attendance for the appeals received, on that day.

Mr. Gibbons addressed the Ballot questions in regards to excise tax. Reminded all that these need to be published for 4 weeks in a row, and can be published in the Saguache Crescent. Mr. Gibbons also discussed the processing of potential revenue from the proposed county excise tax on commercial recreational grow opportunities. Mr. Gibbons

expressed he would like these taxes paid through the Treasurer's office to handle payment for this directly, and issue a copy of receipt to the Land Use Department for recording purposes.

RANDAL ARREDONDO, SUPERVISOR ROAD AND BRIDGE:

Road paving was finished up last week. The entrance on CR G to 45 looks much better. Crews are working on G East of 285, and lets Commissioners know there are guys back on CR GG to improve that as well. Mr. Randal Arredondo lets Commissioner know in response to request, that Road and Bridge is responsible for the Hayden pass road until it becomes public lands. Mr. Arredondo will take a look at the portion Road and Bridge is responsible for, per request of citizens. Commissioner Lovato asks Mr. Arredondo about paving efforts in the Town of Center. Commissioner Lovato received calls in regards to this. Board suggests better communication between Road and Bridge department and Towns.

MOTION BY COMMISSIONER TIM LOVATO TO COVER THE COST OF CEMENT FOR SIDEWALK IN FRONT OF PUBLIC HEALTH IN CENTER TO OFFSET PAVING FROM THE TOWN OF CENTER – UP TO AND CAPPING OUT AT \$4200.00.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

DAN WARWICK, SHERIFF: Report Attached.

David Hammel – Northern Saguache County Ambulance District representative- comments regarding why he would like to support Sheriff Warwick in using taxes to build a new facility. Expressed concerns in regards to his staff, as they are not always safe when going to the jail as the dispatcher and jailer are often one in the same person. There is contact with multiple inmates at once, not just the one they received the call on. Because the jailer and dispatcher are often the same individual, communication suffers between the dispatcher, ambulance crew, police officer, and the person who called 911 to begin with. He would like to see a separate dispatch center taken into consideration. Mr. Hammel says that dispatch should be on the phone helping with CPR instructions, etc., when someone calls 911, unfortunately this is not happening, and dispatch does not have training they should. He offered that there are symposium trainings specifically for how dispatch should be handling calls and relaying important information to the ambulance and first responder teams.

Commissioner Jason Anderson asked Sheriff Warwick about handling patients with Mental Health issues. Sheriff Warwick let Commissioner Anderson know this is a difficult situation all the way around, only made worse by the current jail conditions. Commissioner Jason Anderson also let Sheriff Warwick know that citizens of Crestone have given positive feedback in regards to having an officer presence in their community.

Sheriff Warwick shared concerns regarding the amount of 99 plant grows in the Lazy KV subdivision. Commissioner Jason Anderson sympathizes with Sheriff Warwick and the amount of complaints received regarding this. Assures Sheriff Warwick the marijuana regulations are being worked on.

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO EXECUTIVE
SESSION FOR PERSONEL PER C.R.S. 24-6-402(4)(f)(I) AT 11:35A.M.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER TIM LOVATO TO ADJOURN EXECUTIVE SESSION
AND RETURN TO REGULAR SESSION AND TAKE JAIL TOUR AT 11:39 A.M.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

JAIL TOUR:

LUNCH

COMMISSIONER JASON ANDERSON CALLED TO ORDER AT 1:00PM

WENDI MAEZ, LAND USE ADMINISTRATOR, AIRPORT ADMINISTRATOR:

1. **KW Vending Management, LLC.** – Conditional Use Permit request for Antelope Run Tract 1 – Marijuana Grow Facility.
 - a. Present use of property is vacant – 12 acres of property will be used.
 - b. Requested use of property will be for retail marijuana indoor/outdoor grow facility.
 - c. Access to the property will be CR 58EE – South of Villa Grove
 - d. Utilities – Electrical – SLVREC
Telephone – Crestone Telecom
 - e. Water – will truck water to location.
 - f. Sewage – has been applied for and will be installed if approved.
 - g. One letter of objection has been received

Saguache County Planning Commission has recommended unanimous approval of this request as presented during their regular meeting held on July 27, 2016, also the following were conditions requested; a copy of the property lease must be supplied to the Saguache county Land Use Office, the State of Colorado Division of Water Resources has requested copies of the water receipts and gallons used be supplied to them as well as the Land Use Office and this approval is for Tier One only. (1800 plants.)

Steve Collier and Mike Miller from Cannaworks were present to answer Commissioner questions. They are prepared to ship water from Denver to the facility if they cannot find anything closer. Just waiting for the approval of the Commissioners to proceed. They have already obtained the

access permit from Road and Bridge. They could essentially be ready to go as soon as 3-4 months once approval is obtained.

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT KW VENDING APPLICATION AS PRESENTED

SECOND BY COMMISSIONER TIM LOVATO WITH CONTINGENCY OF VIABLE WATER SUPPLY AND COPY OF THE PROPERTY LEASE, AS WELL AS COPIES OF WATER RECEIPTS TO STATE OF COLORADO DIVISION OF WATER RESOURCES, AND FOR TIER ONE ONLY STRUCTURE AT THIS TIME

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. **Benjamin John Weeks** – Lot Consolidation request for Lots 1108 and 1109C, Baca Grande Grants Unit One. Crestone/Baca Planning Commission recommended approval of this request during their regular meeting on August 10, 2016.

MOTION BY COMMISSIONER LOVATO TO APPROVE THE CONSOLIDATION OF LOTS 1108 AND 1109C BACA GRANDE GRANTS LOT CONSOLIDATION

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. **Kim and Eric Teat** - Lot Consolidation request for Lots 1756 and 1757 Baca Grande Chalets Unit One. Crestone Planning Commission recommended approval of this request during their regular meeting on July 13, 2016.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE CONSOLIDATION OF LOTS 1756 & 1757 BACA GRANDE CHALES UNIT ONE LOT CONSOLIDATION

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. **Dean Oaks** – Industrial Hemp grower offered the Board the opportunity to do a tour of the industrial hemp grow sites. He would like to schedule a tour.

SAGUACHE COUNTY AIRPORT MANAGER'S REPORT – WENDI MAEZ:

1. Tuesday, August 9, 2016 the internet access to the fuel pumps at Leach Airport went down and we weren't able to sell fuel. Maez has contacted SLV Rural Electric Co-operative to get the installation started with them as Centurylink has not been reliable lately. The cancellation fee of \$200 will be paid to Centurylink when SLV REC has installed the internal lines. *Leach airport hangar has been painted and carpet is being installed today. Centurylink re-installed internet as it was broken during construction.*
2. Central Pump will be getting the water (*per gallon*) flow meter installed for gallons to be sold at the Leach airport.
3. RFP for Feasibility Study has been advertised.

4. Citizen is interested in renting the Bogle hangar at the airport, directive given as to rent amount for that hangar in the amount of \$200/month.
5. Maez shows Commissioners a box provided by another county at an event attended. Suggestions to contact the Tourism board to put together something similar.

LYN LAMBERT, WENDI MAEZ, CO-ADMINISTRATORS ADMINISTRATIVE REPORT:

1. BOCC Schedule

08/19/16 – Housing BBQ

08/20/16 – Commissioner Jason Anderson will be attending the Volunteer FF BBQ in Crestone Park from 10:00AM-3:00PM

8/24/16 – Commissioner Work Session – discuss marijuana regulations and water at the airports – scheduled in the courthouse @ 9:30 A. M.

08/30/16 – Harassment Training from 9:00AM-11:00AM and touring marijuana and hemp facilities in the afternoon.

09/09/16 – Southern District Meeting

09/15/16 – Employee Appreciation BBQ @4:30PM

09/19/16 – Courthouse Security Meeting

2. Acceptance of County Audit as presented by Wall Smith and Bateman on August 9, 2016.

MOTION BY COMMISSIONER LOVATO TO ACCEPT THE AUDIT AS PRESENTED ON AUGUST 9, 2016 WITH THE CORRECTIONS IN PLACE BEING ASKED FOR BY AUDITORS.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. 2nd Quarter Report from Saguache County Treasurer Connie Trujillo

Treasurer over collected fees from Rio Grande Water Conservation District for 9 months of the year. This was corrected but not reimbursed. This was caught and corrected during the audit process. Need re-payment to Rio Grande Water Conservation District. Treasurer Trujillo has asked a CPA to come in and work with this department on reconciliation. The CPA will help the Treasurer's office as well as the Social Services office.

MOTION BY COMMISSIONER KEN ANDERSON TO PAY THE VOUCHER FOR RIO GRANDE WATER CONSERVATION DISTRICT FOR THE REPAYMENT OF OVER COLLECTION OF TREASURER'S FEES IN THE AMOUNT OF \$61995.00.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Public Health contracts signed for Moffat School and Costilla County Public Health Agency.

5. July Department Head payroll authorization signature. Commissioner Jason Anderson asks for further clarification on contracts, etc., before Commissioners are willing to sign going forward, so there is full understanding of what is being signed.
6. Forest Service EIS trip RSVP, an email was sent out with info for this trip. Commissioners are booked and will not be in attendance for this.
7. Lambert received a call from Marianna King stating that she writes grants for a variety of areas and would like to know if we would like her to write a USDA grant for business development. Ms. King has emailed Lambert with a list of grants King has done and an email to see if Saguache County would like her to write a grant for them? Commissioners would like to see more information before making a decision on this email offer.
8. Pete Garcia from Saguache Senior Citizens came in to see if we had done an MOU for them on the work that they can or cannot do to the Senior Center in Saguache. The Board met with the seniors a little while back. Commissioner Jason Anderson would like a proposal in writing, then an agreement and MOU can be agreed upon based on the written proposal.
9. Lambert met with Commissioner Lovato and Public Health Staff on August 10, 2016 to address some concerns.
10. Financials January through July 2016 presented. Commissioner Jason Anderson requested financials be given verbally going forward.

Lynn Lambert has a voucher for over \$2500. Monies were initially deposited into the General Fund. These funds should have gone to Public Health as Grant funds.

**MOTION BY COMMISSIONER LOVATO TO TRANSFER FUNDS CORRECTLY
FROM THE GENERAL FUND INTO THE PUBLIC HEALTH ACCOUNT
SECOND BY COMMISSIONER KEN ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

11. **Pete Garcia – Maintenance** - presented Commissioners with Bid from SLV Quality Concrete, Inc., for East Courthouse entrance stair repair. Bricks on the side of the stairs will also need repaired. Bid requested as this area is a liability, due to complaints of people falling on these stairs. 5 companies called only one willing to work, or give a bid.

Also spoke to Commissioners in regards to a Chimney repair at Social Services building as well. Commissioners direct Mr. Garcia to contact Randal Arredondo with Road and Bridge Department to see how much if any of the work can be done by the county instead. Clerk and Recorder Gomez suggested asking a local of Center Eddie Tafoya as he is known as a skilled cement worker as well. Commissioners agree to look at the chimney themselves to offer more solutions in regards to this.

Title III Funding Requests:

Three requests received in regards to Title III funds. Daniel Johnson – Firewise Community, Kundalini Fire Management, and Saguache County Search and Rescue. It is to be understood that the Baca Grande POA and Town of Crestone have included their requests within the Daniel Johnson request. Search and Rescue for all of Saguache County, is a reimbursement system; so any funds to them would be set aside and given once needed for reimbursement. Commissioners comment that Commissioner Jason Anderson recuses himself from any decisions in regards to Saguache County search and rescue as he is a member of this team.

**MOTION BY COMMISSIONER LOVATO TO GRANT DANIEL JOHNSON
\$35,231.24, KUNDALINI FIRE MANAGEMENT \$12,000.00, AND SAGUACHE
COUNTY SEARCH AND RESCUE \$5,000.00, FOR A TOTAL OF \$52231.24.
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 2 VOTES IN ABSENCESION: 1
MOTION CARRIED**

Mary Ellen Fleming, CSU Extension Office Report:

Founding Consumer Science Agent – Home Economist. Teaches food safety, parenting, budgeting, 4-H etc. Has conducted training classes with the Saguache County PCP program such as Diabetes, what you can and can't eat. Has also conducted several classes for Senior's and senior food safety. Commented that 4-H is a great program for the children teaching more than working with animals, such as poise, confidence, and public speaking. Thanks the Commissioners for their continued support.

Nancy Butler, Rio Grande Headwaters Land Trust:

Present to extend an invitation to the BOCC event which will be 9/18/16 from 12PM-4PM with a silent auction, music from "The Rifiers", and tours of the archeological features on the property. La Garita Creek Ranch is doing a conservation easement on the property which would include a recreation area including a climbing opportunity. The Rio Grande Headwaters Land Trust has a GOCO grant application due on Friday and a requirement of the grant is a letter from the Commissioners to be able to proceed.

**MOTION BY COMMISSIONER KEN ANDERSON TO PROVIDE A LETTER OF
SUPPORT TO THE RIO GRANDE HEADWATERS LAND TRUST FOR GOCO
GRANT FUNDING REQUEST
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Coral Bright – Complaint:

Explained to Commissioners issues she had obtaining license plates for one of her vehicles, due to address requirements, etc. Asked Commissioners to look into her issues, and the employees of the county that were involved. Commissioners agree to look into the situation.

BILL PAYING:


ADJOURN: There being no further business: Commissioner Jason Anderson adjourns the meeting at 3:58P.M.


MINUTES PREPARED BY:


RHIANNON CURRY

DATE MINUTES APPROVED: September 6, 2016




JASON ANDERSON, COMMISSIONER,
BOARD CHAIR


KEN ANDERSON, COMMISSIONER


TIM LOVATO, COMMISSIONER


ATTEST
CARLA GOMEZ
CLERK & RECORDER